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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,542	01/30/2004	Dinesh K. Jindal	LUTZ 2 00281	6615
48116	7590	07/24/2007		
FAY SHARPE/LUCENT 1100 SUPERIOR AVE SEVENTH FLOOR CLEVELAND, OH 44114			EXAMINER CHO, HONG SOL	
			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			07/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/768,542

Applicant(s)

JINDAL, DINESH K.

Examiner

Hong Cho

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1, 3-10 and 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis (US 6718015) in view of Sylvain (US 20040008837).

Re claims 1 and 10, Berstis discloses providing a telephone network device with Internet access via a telephone server and telephone network (*providing real-time Internet access to a caller having only a standard telephone and plain old telephone service*, column 3, lines 49-55). Berstis discloses a user entering a keyword representing a uniform resource locator (URL) (*receiving a destination number representing a request for Internet access from the caller*, column 4, lines 35-37), relaying a call to a telephone server for an Internet access (*routing a call to an Internet server for providing the Internet access*, column 4, lines 60-61), translating information identifying URL into the URL (*converting the destination number to a URL at the Internet server*, column 4, lines 58-60), providing status, web page and other information to the caller (*receiving a response including digital information from the Internet at the Internet server*, column 4,

lines 60-64) and web page being read to the caller if the reading option is selected at prompt (*converting the digital information in the response to a voice message, the voice message including information from the Web site and prompts for the caller and routing the voice message to the caller*, column 5, lines 26-37). Berstis fails to disclose receiving at a local switch a destination number. Sylvain discloses receiving a destination number at a PBX (figure 1, element 25; paragraph [0038], lines 1-4). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Berstis by adding a switch of Sylvain for the benefit of providing both traditional circuit-switched telephony service and multimedia packet-switched sessions.

Re claims 3, 7, 12 and 16, Berstis discloses a user entering a destination number including a feature activation code (column 6, line 59) and a URL code (column 6, line 49).

Re claims 4, 6, 8, 13, 15 and 17, Berstis discloses a telephone server including a processor, DTMF tone detector, and a text-to-speech processor (*Internet server includes a data processor for processing information, tone detection circuitry for recognizing dialed multi-frequency tone signals, a text-to-speech system for generating voice messages and announcements to be played to the caller*, (column 4, lines 4-12) and data memory for formulating queries and responses to the caller (column 4, lines 53-56).

Re claims 5, 9, 14 and 18, Berstis discloses relaying a call to a telephone server for an Internet access (column 4, lines 60-61), but fails to disclose a local switch including a URL interceptor for routing the call to the Internet server. Sylvain discloses receiving a number at a PBX (figure 1, element 25; paragraph [0038], lines 1-4). It

would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Berstis by adding a switch of Sylvain for the benefit of providing both traditional circuit-switched telephony service and multimedia packet-switched sessions.

Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis in view of Sylvain and further in view of Greenberg et al (US 20010038624), hereinafter referred to as Greenberg.

Re claims 2 and 11, Berstis and Sylvain disclose all of the limitations of the base claim, but fail to disclose releasing the call when the local switch recognizes that the caller has entered a special code. Greenberg discloses terminating a call if the user clicks on “hang-up” button and sending a terminate message to the call server (paragraph [0070], lines 3-8). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Berstis and Sylvain by adding to it the feature of terminating a call by sending a terminate message over a packet switched network for the benefit of saving signaling bandwidth of circuit-switched network.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc
Hong Cho
Patent Examiner
7/17/07